

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – August 15, 2006**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 8:00 P.M.

Roll Call: Van Deursen, Woykowski, Turner, Buoye, and Glaser – Present.
Housel – 8:50 p.m. Oakley - Absent

Also Present: Richard J. Sheola, Borough Manager
Richard P. Cushing, Esq., Borough Attorney
Robert Miller, C.M.E., Borough Engineer
Kristine D. Blanchard, RMC, Borough Clerk

The flag salute was led by Mayor Van Deursen.

Mayor Van Deursen read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law of 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.

COUNCIL APPEARANCE:

Kevin Shoudt WWTP (Sewer Plant)

Mr. Shoudt reported that currently the sewer plant has treated 162 million gallons so far this year. The sewer plant is well under permit and has no violations in 2005 and 2006.

Mr. Shoudt also reported that the new billing software will be in place by September or October of 2006. This new software will give more access to the Borough in order to check account balances immediately.

The new maintenance software is already in place to better track all of the maintenance work at the plant.

Mr. Shoudt said this October will mark eight years with no lost time and no recordable accidents. Safety and process control meetings are held weekly and continuing education and quarterly training classes for operators are mandatory.

Mr. Shoudt stated there have been sixteen sewer backup call outs for the year, and routine sewer cleaning of problem areas are done monthly. Port Colden Mall has had order complaints and as a result, the pumping station needs to be cleaned every three months. There is also a problem with the Pershing Avenue pumping station. Mr. Shoudt explained they are also working with the developer from Carlton Homes to resolve items on the punch list.

Councilman Turner asked Mr. Shoudt when the Pershing Avenue problem will be resolved. Mr. Shoudt explained they are waiting to hear back from the contractor. After a brief discussion, it was determined that the Borough will wait two weeks before stepping in and replace the pump.

Councilman Buoye noted that the daily max flow is 2.3 million, and asked what the maximum daily max flow allowable would be. Mr. Shoudt stated that the maximum daily flow would be 3 m.d.g.

Councilwoman Glaser asked if the new billing software would automatically upload to the General Ledger. Manager Sheola explained that it would upload automatically. The Borough will also run a parallel system through the end of the year to check the validity of the data. Five years of data will be converted to the new software. The new system will be a web based system for the Borough and information will be updated nightly from Veolia in Pittsburgh, PA.

Manager Sheola said that the implementation procedures have been reviewed with Veolia and First Byte.

Manager Sheola also stated that Kevin Shoudt was instrumental in obtaining the maintenance software that the Department of Public Works will be using and has offered to train that department on the new software as well.

Mayor Van Deursen thanked Mr. Shoudt for his hard work.

MINUTES:

Regular Meeting – August 1, 2006

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting of August 1, 2006.

Councilman Buoye noted that Councilman Buoye and Councilwoman Woykowski's names were omitted from the Council Remarks section of the minutes.

Hearing no additional corrections, it was moved by Glaser, seconded by Turner that the minutes of August 1, 2006 be approved with corrections.

Roll Call: Woykowski, Buoye, Glaser, Turner, and Van Deursen.

Ayes: 5, Nays: 0.

Motion Carried

COMMUNICATIONS:

The following communications were entered into the Record:

1. NJLM Re: Joint Committee on Public Employee Pensions and Benefits.
2. NJLM Re: League Support for ACS-804 System Wide Cable Franchises.
3. NJLM Re: Joint Committee on Government Consolidation and Shared Services.
4. NJLM Re: League Letter to Special Session Committee Members.
5. Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas Re: Notice of Public Hearings.
6. NJLM Washington Watch Re: Washington Watch Report.
7. NJLM Re: Action Alert on Mayors Wellness Campaign.
8. NJLM Re: Special Session for Property Tax Reform Takes Shape.
9. NJLM Re: Extraordinary Aid.
10. NJLM Re: Joint Committee on Public School Funding Reform.
11. Highlands Water Protection and Planning Council Re: Notice of Special Work Session Meetings/Cancellation of August 17th Meeting.

Hearing no comments it was moved by Glaser, seconded by Turner that the communications numbered #1 thru #11 be acknowledged, received and filed.

Ayes: 5, Nays: 0.
Motion carried.

AUDIENCE:

Mayor Van Deursen entertained remarks from the audience on items that do not appear on the meeting agenda.

Janet Bukosky 254 East Washington Ave. - Ms. Bukosky stated that she had spoken with the Zoning Officer and Manager Sheola in reference to the property at 258 East Washington Avenue. Ms. Bukosky's main concerns over this property are safety, and a health concern regarding a rodent problem that she reported to the Board of Health. As far as safety, the front porch of the home is in terrible shape and pictures have been given to the Zoning Officer. There is a huge bush of poison ivy growing in the front of the property and Ms. Bukosky is severally allergic. She explained that she has missed three days of work due to the severity of her reaction. Ms. Bukosky requested that the poison ivy be taken care of at 258 East Washington Ave.

Manager Sheola responded that the best way to take care of the poison ivy brush would be to hire someone to remove it.

Ms. Bukosky also pointed out that the adjacent town homes that are for sale will never sell with this property in such terrible condition; which is detrimental to the community.

Councilwoman Glaser asked if the house is occupied. Ms. Bukosky stated the house is abandoned.

Attorney Cushing advised Manager Sheola to send the homeowner and lien holder a certified letter explaining the situation and advising the homeowner and lien holder of the costs associated with removal of the poison ivy.

Councilwoman Glaser asked if there is something that can be done to prevent the porch from collapsing. Attorney Cushing stated that the determination as to whether a building has sufficient code violations is done by the Construction Code Enforcement Officials. The Construction Code Enforcement Officials have certain rights to declare a building un-safe and the Borough also has an un-safe Building Ordinance that will give additional leverage however; the Construction Code Enforcement Officials must make the determination that there is a violation at the property. Attorney Cushing also stated that the Fire Code Officials should also be involved in the process.

At this time Councilman Turner made a motion to direct the Borough Manager to contact the necessary officials: Construction Code Official, Fire Inspector, and Health Inspector, in order for them to make the necessary assessments on the property at 258 East Washington Avenue. This should be done within the next two weeks. This motion was seconded by Councilwoman Woykowski.

Roll Call: Woykowski, Buoye, Glaser, Turner and Van Deursen.

Ayes: 5, Nays: 0

Motion Carried.

Linda Swackhamer 256 East Washington Avenue - Mrs. Swackhamer stated that she is the owner of the hair salon next to 258 East Washington Avenue. Her husband has had to cut the lawn on the property so that her clients can walk past to reach her store. She stated that she has been in business for eighteen years and is now afraid that she will begin to loose customers because of the property next to her store.

Kevin Patrick Turner 41 Grand Avenue - Mr. Turner stated he is appearing before Council about the issue with the damage to his car during the construction on Grand Avenue. Mr. Tuner recently received a letter from the insurance company for the contractor stating that the claim had been denied due to late reporting. The insurance company also does not feel they are responsible for the damage that has occurred. Mr. Turner said that he did not report the claim late. He explained that he spoke with Manager Sheola when the incident occurred and was informed that the Borough Engineer would be inspecting the damage and take pictures of the apron of his driveway.

Attorney Cushing explained that there is a six year statute of limitations on reporting this type claim. He suggested that Mr. Turner file a claim in small claims court. Mr. Turner requested a copy of the report and the pictures that the Borough Engineer had taken at the time of the incident. Mr. Sheola told Mr. Turner to fill out an Open Public Records Act Request and the Borough will provide that information to him.

Mayor Van Deursen asked if Attorney Cushing could send a letter to the insurance carrier in support of Mr. Turner's claim. Attorney Cushing replied that he would write a letter to the insurance carrier and the contractor.

Ed. Little 80 South Lincoln Avenue - Mr. Little thanked the Borough Manager for the copy of the letter that was sent to the Railroad Company. Mr. Little inquired as to why the issue of the three way stop sign was not on the agenda for tonight's meeting. Borough Engineer, Bob Miller explained that he had been away for several weeks and has not had a chance to address the issue. Mr. Little said that Mayor Van Deursen's idea of a partial one way down South Lincoln is an excellent idea and should be considered by the Council. Borough Engineer, Bob Miller said he would need some time to study the area before he can make a recommendation about a partial one-way. Mr. Little asked why the curbing is not a viable option. Manager Sheola and Borough Engineer, Miller stated that it is railroad property and the railroad would probably not allow curbing.

Councilman Turner suggested placing Authorized Vehicle Only signs at the cut through. Councilwoman Glaser recommended discussing the situation with the railroad and talk to them about what our options are for preventing the use of the cut through permanently. Councilwoman Glaser also suggested placing temporary police barricades at the cut through as a temporary measure.

Mayor Van Deursen recommended giving the Borough Engineer some time to think about the possible solutions and address the problem again in the future.

Mr. Little commented that the sidewalks on South Lincoln Ave. are very uneven and are not fit for walking on. Borough Engineer, Robert Miller explained that those sidewalks were done approximately twenty-five years ago prior to the handicapped code being in place. Mr. Little asked if the Borough was planning on doing the sidewalks on South Lincoln Ave. Councilwoman Glaser that when road projects are scheduled, problems with the sidewalks and curbing would be addressed at that time.

Mr. Little asked if he was going to lose parking spaces in front of his house. Borough Engineer, Robert Miller said that if a three-way stop is put in on South Lincoln Avenue, one or maybe two of those parking spaces will need to be moved down the hill. Mr. Little asked if the parking ordinance for South Lincoln Avenue passed by the Borough was legal. Councilman Buoye asked if the Borough has heard back from the Department of Transportation on that issue. Borough Engineer, Robert Miller said he does not know the status.

Councilman Turner commented that there is an issue on North Prospect Street with regard to parking. Last year a resident complained that during football season people were parking across the street from her house. The No Parking signs that were there were rusted over and you couldn't read them. Those sign have been removed, but not replaced with new ones and the curb does not appear to be painted yellow on that side of the street. Councilman Turner said that the No Parking Ordinance would be hard to enforce without any signs on the street.

Manager Sheola will look into this situation.

Hearing no further remarks from the audience, it was moved by Glaser, seconded by Woykowski that the audience portion of the meeting be closed.

Ayes: 5, Nays: 0.
Motion carried.

ORDINANCES:

Ordinance #16-2006 – An Ordinance of the Borough of Washington Establishing Procedures for the Administration of Government and Amending Various Sections of the Borough Code. – Publication Approval

An Ordinance Establishing Procedures for the Administration of Government and Amending Various Sections of the Borough Code was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Housel that the Clerk read Ordinance #16-2006 by title only.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Glaser and Turner.

Ayes: 6, Nays: 0
Motion Carried

The Clerk read Ordinance #16-2006, “An Ordinance of the Borough of Washington Establishing Procedures for the Administration of Government and Amending Various Sections of the Borough Code.

Council Discussion:

Attorney Cushing stated under section 3-15 E where it reads, “*majority of Council elect.*” The word elect should be removed from that sentence.

Councilwoman Woykowski said that section 3-15 E should read, “*Ordinances may be adopted by the Council only by an affirmative vote by the majority of the Council by roll call vote.*” Council confirmed that section G should read, “*in a manner prescribed by law.*”

It was therefore moved by Glaser, seconded by Turner that Ordinance #16-2006 be approved on first reading with the changes noted.

Roll Call: Woykowski, Housel, Buoye, Turner, Glaser, and Van Deursen.

Ayes: 6, Nays
Motion Carried

It was further moved by Glaser, seconded by Turner that Ordinance #16-2006 be published in the Star Gazette on August 24, 2006 and that the public hearing be scheduled for September 19, 2006.

Roll Call: Woykowski, Housel, Buoye, Turner, Glaser, and Van Deursen.

Ayes: 6, Nays: 0
Motion Carried.

REPORTS

It was moved by Glaser, seconded by Buoye that the Manager's Report, Clerk's Report, Highway Department Report, Trial Balance, Municipal Court Report, Fire Prevention, Collector/Treasurer Report, Recreation Finance, Veolia Water Operations, and the Admin & Exec. reports be accepted as presented and filed.

Roll Call: Woykowski, Turner, Buoye, Housel, Glaser, and Van Deursen.

Ayes: 6, Nays: 0
Motion Carried.

Discussion:

Mayor Van Deursen asked Manager Sheola if the Sales Ratio Study discussed on the manager's report will send up any type of red flag to the county. Manager Sheola explained that the sales studies were done for state purposes and were two year averages. The study shows that the sale prices are going up in comparison to the assessed values that are remaining the same.

Councilman Turner asked Manager Sheola where the price of \$1,800.00 came from for the Driveway Apron – Park Pavilion and how much are we paying a square foot. Manager Sheola stated the price came from an outside contractor and we are paying \$2.40 a square foot. Manager Sheola explained that he called three contractors and only one got back to him. When he factored in the cost of doing the job in-house it was cheaper to pay the \$1,800.00. Councilman Turner suggested that if we are not going to use the paving equipment that the Borough purchased we should sell them to the other towns. Manager Sheola explained that in this case, when factoring in the loss of productivity, it was cheaper to hire an outside contractor.

Councilman Turner asked if the \$1,800.00 for the park pavilion paving will be taken from the \$64,000.00 in credit from Youmans Ave and East Church Street. Manager Sheola said the \$1,800.00 will be taken from the credit of \$64,000.00. Councilman Turner asked if the \$55,000.00 change order for Youmans Avenue was in addition to the \$10,000.00 that the Borough came in under budget. Manager Sheola stated the \$55,000.00 included the under budget amount.

Councilwoman Woykowski asked what the plan of action is for the drainage ditch on Willow Street and who is responsible for taking out the permit from the DEP. Manager Sheola replied that the permit will be obtained by the Borough Engineer's office. As soon as the permit is obtained, the Borough will clean out the drainage ditch.

Councilman Housel inquired as to why the Borough can not change the configuration of the drainage ditch. Borough Engineer, Bob Miller stated that the Department of Environmental Protection will not allow the Borough make any changes however; he will discuss the issue with the DEP.

Councilman Turner asked Manager Sheola if the Department of Public Works could paint a crosswalk from North Jackson Avenue to the Municipal Parking Lot. Borough Engineer, Bob Miller will look into a crosswalk with the Department of Transportation.

VOUCHERS:

Mayor Van Deursen entertained additions or questions of the vouchers and claims for payment.

Hearing none it was moved by Glaser, seconded by Buoye that that the vouchers and claims be approved for payment in the amount of \$ 2,058,987.15 as reflected in the debit/credit memorandum on file in the Collector/Treasurer's office.

Roll Call: Woykowski, Glaser, Housel, Buoye, Turner, and Van Deursen.

Ayes: 6, Nays: 0.

Motion Carried.

Councilwoman Woykowski requested a copy of purchase order number 21909 and the corresponding voucher.

OLD BUSINESS

BID Bylaws - Councilwoman Woykowski stated that there is a seminar on September 7, 2006 entitled Relationships Between Governing Bodies and Business Improvement Districts. After a brief discussion, Council decided that Councilwoman Woykowski and Councilwoman Glaser will attend this seminar.

NEW BUSINESS

Resolution 175-2006 – 177-2006

The following Resolutions were moved on a motion made by Glaser, seconded by Turner and adopted.

Roll Call: Woykowski, Housel, Buoye, Glaser, Turner, and Van Deursen

Ayes: 6 Nays: 0

Motion Carried

Resolution 175-2006

**A RESOLUTION AUTHORIZING THE REFUNDING OF AN OVERPAYMENT
OF THE BOROUGH'S SEWER SERVICE CHARGE**

WHEREAS, according to the Treasurer's records, there is an overpayment showing on the following property;

BLOCK/LOT	PROPERTY OWNER/ PROPERTY LOCATION	AMOUNT TO REFUND
66.02/5	Tillson, Michael and Whitney 126 Sunrise Terrace	\$45.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$45.00 should be mailed to:

Michael and Whitney Tillson
559 Gallery Lane
Mt. Bethel, PA 18343

WHEREAS, the Borough Treasurer's has received a written request that the above amount be refunded.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Treasurer is authorized to refund the above overpayment amount.

Resolution 176-2006

**A RESOLUTION AUTHORIZING THE REFUNDING OF AN OVERPAYMENT
OF THE BOROUGH'S SEWER SERVICE CHARGE**

WHEREAS, according to the Treasurer's records, there is an overpayment showing on the following property;

BLOCK/LOT	PROPERTY OWNER/ PROPERTY LOCATION	AMOUNT TO REFUND
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44/12

Farthing, Howard P.
82 Flower Ave.

\$3.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$3.00 should be mailed to:

Howard P. Farthing
1140 Hersman Drive
Gilroy CA 95020-5426

WHEREAS, the Borough Treasurer's has received a written request that the above amount be refunded.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Treasurer is authorized to refund the above overpayment amount.

Resolution 177-2006

**A RESOLUTION TO ADJUST SEWER BILLINGS IN ACCORDANCE WITH
CHAPTER 70, SECTION 28B OF THE CODE OF THE BOROUGH OF
WASHINGTON.**

WHEREAS, the Borough of Washington commenced operations of a municipal sewer utility in January 1999; and

WHEREAS, certain facts have come to the attention of the Borough to justify modification of sewer service charges which have been reviewed by the Borough Manager; and

WHEREAS, notice has been provided to the owner (s) of the properties listed below of the action proposed to be taken with the date, time and place where the Mayor and Council will meet to consider changes in the E.D.U.'s assigned to the property or properties listed below; and

WHEREAS, all parties affected by this resolution will be notified of the action taken, in writing, and notified of an opportunity to appear, in person, at a formal hearing of the governing body, if dissatisfied with the decisions made herein.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the following changes in sewer services are approved.

<u>BLOCK/LOT</u>	<u>NAME/ADDRESS</u>	<u>REASON/ADJUSTMENT</u>
100/10	Breznak, Lena Lavecchia	Change in Use

23 Melrose Drive
Chester NJ 07930

1 E.D.U. to 2 E.D.U.

Property Location: 35 Marble Street

BE IT FURTHER RESOLVED, that the Borough Clerk be directed to send a certified copy of this resolution to all parties affected by this resolution and advise them of their right to protest the decision and request a formal hearing before the governing body, as provided in Chapter 70, Section 13. If no protest is filed, the decisions contained herein shall be considered final.

Resolution 178-2006

The following Resolution was moved on a motion made by Housel, seconded by Glaser and adopted.

Roll Call: Woykowski, Housel, Turner, Glaser, Van Deursen, and Buoye.

Ayes: 6, Nays: 0
Motion Carried.

A RESOLUTION ESTABLISHING A NEW PETTY CASH FUND

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution; and

WHEREAS, it is the desire of the Borough of Washington, County of Warren to establish such a fund for the Washington Borough Public Library in the amount of \$75.00; and

WHEREAS, the custodian for this fund is, Washington Borough Public Library Director who is bonded for the amount of \$1,000.00; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey to hereby authorize such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Resolution 179-2006

The following Resolution was moved on a motion made by Glaser, seconded by Turner and adopted.

Discussion:

Councilman Housel asked if the Department of Public Works will be able to obtain rock salt on an emergency basis. Manager Sheola replied the DPW will be able to obtain rock salt in an emergency between all of the County Coops that the Borough belongs to.

Councilman Turner asked if he could see the agreement for the Morris County Cooperative Pricing Council.

Roll Call: Woykowski, Buoye, Glaser, Turner, Housel, and Van Deursen.

Ayes; 6 Nays: 0

Motion Carried.

RESOLUTION 179-2006

**RENEWAL OF MEMBERSHIP WITHIN THE MORRIS COUNTY
COOPERATIVE PRICING COUNCIL WITH THE TOWNSHIP OF RANDOLPH
AS THE “LEAD AGENCY” FOR AN
ADDITIONAL FIVE (5) YEARS BEGINNING
OCTOBER 1, 2006 TO SEPTEMBER 30, 2011**

BE IT RESOLVED, by the Mayor and Council of the Borough of
Washington, Warren County, New Jersey as follows:

That the Borough of Washington be authorized to renew its membership and
continue operation of the Morris County Cooperative Pricing Council with the Township
of Randolph as the “lead agency” for an additional five (5) year period
effective October 1, 2006 and expiring September 30, 2011, unless the Township of
Randolph and the Division of Local Government Services elects to withdraw.

Resolution 180-2006

Resolution 180-2006 was tabled for further discussion in Executive Session.

Resolutions 181-2006 - 182-2006

The following Resolutions were moved on a motion made by Housel, second by Glaser and adopted.

Roll Call: Woykowski, Glaser, Housel, Turner, Buoye, and Van Deursen.

Ayes: 6, Nays: 0

Motion Carried.

RESOLUTION #181-2006

**A RESOLUTION APPROVING CHANGE ORDER #1
RELATED TO THE PAVING OF YOUMAN'S
AVENUE**

WHEREAS, the Borough of Washington is paving and rehabilitating various streets within the Borough; and

WHEREAS, from time to time during the construction process, various field changes and adjustments are necessary; and

WHEREAS, the project engineers, Studer & McEldowney have recommended the following Change Order:

Project Completion – Credits	\$55,835.19
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WHEREAS, the Mayor and Council of the Borough of Washington wishes to accept the change order for this work as it is in the best interest of the Borough of Washington.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey approve Change Order #1 and authorize the Borough Manager and Project Engineer to prepare the necessary documents as soon as possible and for the Borough Manager to execute the change order on behalf of Washington Borough.

RESOLUTION #182-2006

**A RESOLUTION APPROVING CHANGE ORDER #1
RELATED TO THE PAVING OF EAST CHURCH
STREET**

WHEREAS, the Borough of Washington is paving and rehabilitating various streets within the Borough; and

WHEREAS, from time to time during the construction process, various field changes and adjustments are necessary; and

WHEREAS, the project engineers, Studer & McEldowney have recommended the following Change Order:

Project Completion – Credits	\$14,505.21
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WHEREAS, the Mayor and Council of the Borough of Washington wishes to accept the change order for this work as it is in the best interest of the Borough of Washington.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey approve Change Order #1 and authorize the Borough Manager and Project Engineer to prepare the necessary documents as soon as possible and for the Borough Manager to execute the change order on behalf of Washington Borough.

Resolution 183-2006

The following Resolution was moved on a motion made Housel, seconded by Turner and adopted.

Roll Call: Woykowski, Housel, Turner, Buoye, Glaser, and Van Deursen.,

Ayes: 6, Nays 0

Motion Carried.

RESOLUTION 183-2006

RECREATION COMMISSION

WHEREAS, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

WHEREAS, under this plan the Mayor of the Borough is to appoint the members of the Board of Recreation with the consent of the Borough Council; and

WHEREAS, the Mayor has designated the following person his appointee;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the **Board of Recreation** for a term ending **December 31, 2008**.

Angela Frye

Resolution 184-2006

The following Resolution was moved on a motion made by Buoye, seconded by Housel and adopted.

Roll Call: Woykowski, Housel, Tuner, Glaser, Buoye, and Van Deursen.

Ayes: 6, Nays: 0
Motion Carried.

RESOLUTION 184-2006
BOARD OF ADJUSTMENT

WHEREAS, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

WHEREAS, under this plan the Borough Council is directed and authorized to appoint members of the Board of Adjustment.

WHEREAS, the Borough Council has designated the following person his appointee;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the Board of Adjustment as Alternate #2 for a term ending **December 31, 2006**.

Tina Bukow Truman

Resolution 185-2006

The following Resolution was moved on a motion made by Turner, seconded by Buoye and adopted.

Roll Call: Woykowski, Housel, Turner, Glaser, Buoye, and Van Deursen.

Ayes: 6, Nays: 0
Motion Carried.

RESOLUTION 185-2006

Planning Board

WHEREAS, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

WHEREAS, under this plan the Mayor is directed and authorized to appoint members of the Planning Board.

WHEREAS, the Mayor has designated the following person as her appointee;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the Planning Board for a term ending **December 31, 2007**.

Denise Anthony

Resolution 186-2006

The following Resolution was moved on a motion made by Buoye, seconded by Turner and adopted.

Roll Call: Woykowski, Turner, Buoye, Housel, Glaser, and Van Deursen.

Ayes: 6, Nays: 0
Motion Carried.

RESOLUTION # 186-2006

**A RESOLUTION AWARDED BID FOR THE
WASHINGTON AVENUE STREETScape**

WHEREAS, the Borough of Washington advertised in the Star-Gazette for qualified bidders for the above project; and

WHEREAS, the Borough received two (2) bids from contractors at the Bid Opening on July 26, 2006; and

WHEREAS, the bids received are depicted on the attached chart; and

WHEREAS, the Mayor and Council of the Borough of Washington wishes to “split” the award as outlined in the specifications as it is in the best interest of the Borough of Washington to do so; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey award the bid to Marvec Construction, Verona, NJ for the following items:

Project 1 – Curb & Sidewalk -	\$1,109,518.00 - includes Alternate 12A and deletes item 12
Project 5 – Electrical	\$69,245.00
TOTAL	\$1,178,763.00

and authorize the Borough Manager to prepare the contract documents as soon as possible and for the Mayor and Borough Clerk and any other municipal official to execute the contracts. A Certification of Available Funds is attached and made part of this document; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Richard J. Sheola, Borough Manager, Robert Miller, Borough Engineer and Marvec Construction,

Resolution 187-2006

The following Resolution was moved on a motion made by Housel, seconded by Glaser and adopted.

Roll Call: Woykowski, Turner, Housel, Glaser, Buoye, and Van Deursen.

Ayes: 6, Nays: 0
Motion Carried.

RESOLUTION # 187-2006

**A RESOLUTION AWARDING BID FOR THE
WASHINGTON AVENUE STREETScape**

WHEREAS, the Borough of Washington advertised in the Star-Gazette for qualified bidders for the above project; and

WHEREAS, the Borough received two (2) bids from contractors at the Bid Opening on July 26, 2006; and

WHEREAS, the bids received are depicted on the attached chart; and

WHEREAS, the Mayor and Council of the Borough of Washington wishes to “split” the award as outlined in the specifications as it is in the best interest of the Borough of Washington to do so; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey award the bid to Berto Construction, Rahway, NJ for the following items:

Project 2 – Pipe work	\$267,715.35
Project 4 – Landscaping	\$29,467.35
TOTAL	\$297,182.70

and authorize the Borough Manager to prepare the contract documents as soon as possible and for the Mayor and Borough Clerk and any other municipal official to execute the contracts. A Certification of Available Funds is attached and made part of this document; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Richard J. Sheola, Borough Manager , Robert Miller, Borough Engineer and Berto Construction,

Resolution 188-2006

The following Resolution was moved by Councilwoman Glaser, seconded by Turner and adopted.

Discussion:

Councilman Turner asked if the \$69,000.00 saved from the change orders adopted previously could be applied to this project so the Borough would not have to reject it. Manager Sheola explained that the purpose of the Ordinance would have to be changed in order to use the \$69,000.00 for this project.

Roll Call: Woykowski, Housel, Tuner, Glaser, Buoye, and Van Deursen.

Ayes: 6, Nays 0
Motion Carried.

RESOLUTION # 188-2006

A RESOLUTION REJECTING PART OF A BID FOR THE DOWNTOWN STREETScape PROJECT

WHEREAS, the Borough of Washington advertised in the Star-Gazette for

qualified bidders for the above project; and

WHEREAS, the Borough received two (2) bids from qualified contractors at the Bid Opening on July 26, 2006 for Project #3 - Amenities; and

WHEREAS, the bids received were:

Marvec Const. Verona, NJ	\$121,650.00
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Berto Const Rahway, NJ	\$62,720.00
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WHEREAS, the Mayor and Council of the Borough of Washington wish to reject the bid for this work as the prices bid are substantially higher than the Borough Engineer's estimate for the work; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to reject the bids for the Downtown Streetscape Project as noted and so advise the Borough Manager and Borough Engineer; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Robert Miller, CME, Borough Engineer.

Resolution 189-2006

The following Resolution was moved on a motion made by Glaser, seconded by Buoye and adopted.

Roll Call: Glaser, Buoye, Turner, Houser, Woykowski, and Van Deursen.

Ayes: 6, Nays 0
Motion Carried.

RESOLUTION #189-2006

**A RESOLUTION OF THE BOROUGH OF
WASHINGTON REQUESTING APPROVAL OF AN
ITEM OF REVENUE AND APPROPRIATION
UNDER N.J.S.A. 40:4-87**

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the

budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, hereby request the Director of Local Government Services with the Department of Community Affairs to approve the insertion of an item of revenue in the budget of the year 2006 in the sum of \$65,000.00 which item is now available as a revenue from the State of New Jersey, Department of Community Affairs, Office of Smart Growth.

BE IT FURTHER RESOLVED that the like sum of \$65,000.00 is hereby appropriated under the caption "Smart Growth Grant" Other Expenses outside the CAP.

RECAP

Manager Sheola stated that he will send a letter to the contractor in reference to Pershing Avenue. He will begin working on the list of items to take care of for the property at 258 East Washington Avenue. Manager Sheola will look into the issue of the No Parking signs missing from North Prospect Street. Manager Sheola will also obtain a copy of the purchase order and voucher that Councilwoman Woykowski requested.

COUNCIL REMARKS:

Councilwoman Glaser – None

Councilman Turner stated that with the money saved from Youmans Avenue and East Church Street he would like to see the parking lot paved at the pavilion as expeditiously as possible.

Councilwoman Woykowski asked to see anticipated pension information for the year 2007. Manager Sheola stated that the pension bills have not been received yet; usually the Borough will receive them in September or October. Councilwoman Woykowski asked to see a list of anticipated expenses for the year 2007; specifically items that the Borough has anticipated spending money on in 2007. Councilwoman Woykowski also requested an itemized list of expenditures charged to the Redevelopment Fund.

Councilman Housel apologized to Kevin Shoudt from the Sewer Department for missing his report.

Councilman Buoye stated he was very happy to finally award the contract for the Downtown Streetscape Project. Councilman Buoye also recognized several members of the BID Board of Directors in the audience.

Mayor Van Deursen stated she was equally as happy to have awarded the Downtown Streetscape Project. She also informed Council that she attended the retirement dinner for Carol McNeil who was a librarian for Washington Public Library for many years. Mayor Van Deursen reported to Council on the repeated vandalism at the Washington Public Library; she asked if Council could have a report on the progress of the investigation. Manager Sheola informed council that the investigation is ongoing. Mayor Van Deursen asked Attorney Cushing and the Borough Engineer, Bob Miller for a status on the field. Borough Engineer, Bob Miller explained he is still waiting for the hard copy of the cut sheet from Centrex. Attorney Cushing suggested that a messenger be sent to pick up the information.

At this time Councilwoman Glaser made a motion to recess for five minutes, seconded by Councilman Turner.

Ayes: 6, Nays 0.
Motion Carried.

The meeting was called back to order at 9: 40 p.m. with everyone present.

EXECUTIVE SESSION:

It was moved by Glaser, seconded by Turner that Council go into Executive Session.

Roll Call: Glaser, Turner, Van Deursen, Woykowski, Buoye, and Housel.

Ayes: 6, Nays: 0.
Motion Carried.

RESOLUTION 190-2006

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Washington, in the County of Warren and State of New Jersey as follows:

1. The public shall be excluded from the remaining portion of this meeting.
2. The general nature of the subject matter to be discussed is as follows:
 - Borough Property
 - Contract Negotiations

It was moved by Glaser, seconded by Buoye that Council go out of Executive Session and back into open session at 10:50 PM.

Ayes: 6, Nays: 0.
Motion Carried.

Resolution 180- 2006

The following Resolution was moved on a motion made by Glaser, seconded by Turner and adopted.

RESOLUTION #180-2006

**A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO A CONTRACT FOR
PROFESSIONAL SERVICES WITHOUT SEEKING
COMPETITIVE BIDS.**

WHEREAS, there exists a need for professional accounting services related to the maintenance of the financial records of the Borough of Washington; and

WHEREAS, funds are available in the 2006 Operating Budget in Account Number 01-201-20-130-2-028; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, Andrew Coppola, Port Murray New Jersey has agreed to perform engineering services, as outlined in the budget request in the amount of \$3,600.00 per annum, pro-rated; and

WHEREAS, the services to be provided by of Andrew Coppola, Port Murray, New Jersey constitutes professional services that need not be bid pursuant to the Public Contract Law (N.J.S.A. 40A: 11-1 et. seq.).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the

Borough of Washington, in the County of Warren, State of New Jersey as follows:

1. That the Mayor and Council hereby appoint of Andrew Coppola, Port Murray, New Jersey to provide professional accounting services for the maintenance of financial records of the Borough of Washington.
2. The Mayor and Clerk are hereby authorized and directed to enter into the attached agreement with of Andrew Coppola, Port Murray, New Jersey.
3. The contract is awarded without competitive bidding as professional services in accordance with N.J.S.A. 40A:11-5.
4. The necessary funds are available in the 2006 Operating Budget.
5. Notification of the contract award shall be printed in the Star Gazette.
6. That an executed copy of the contract between the parties be on file with the Office of the Clerk and be available for public inspection in accordance with the law.

Hearing no further business to come before the governing body, it was moved by Glaser, seconded by Buoye that the meeting be adjourned.

Marianne Van Deursen
Mayor

Kristine Blanchard, RMC
Borough Clerk

